



Docket Number: 1607-PUD-11 (Ordinance No. 16-24)

Petitioner: J.C. Hart Company, Inc. by Nelson & Frankenberger

Request: An amendment to the Mixed Use District (Area A: Apartment Area) of the Harmony Planned Unit Development (PUD) District.

Current Zoning: Harmony PUD District Ord. 12-14

Current Land Use: Vacant / Undeveloped

Property History: 1205-PUD-05 Harmony PUD District (Ordinance 12-14) (01/16/13)
1605-SPP-06 Mixed Use District Primary Plat (06/06/16)
1605-ODP-06 Mixed Use District Overall Development Plan (06/06/16)
1606-SFP-16 Mixed Use District Secondary Plat (pending)
1607-DDP-25 Detailed Development Plan (pending)

Exhibits:

1. Staff Report
2. Location Map
3. Harmony PUD Ord. 12-14
4. Proposed Amendment Ord. 16-24

Staff Reviewer: Jesse M. Pohlman, Senior Planner

PETITION HISTORY

An amendment for the Mixed Use District of the Harmony PUD District was filed as petition 1606-PUD-07 (Ordinance 16-12) (the "Original Petition"). The Original Petition was introduced at the May 9, 2016, City Council meeting and received a public hearing at the June 6, 2016, Plan Commission meeting.

Since the public hearing, the petitioners have chosen to split the Original Petition as it relates to the apartment area ("Area A") and the commercial area ("Area B" and "Area C") (see Project Overview below). As such, the Original Petition has been amended to remove Area A. The Original Petition, as it now only pertains to the commercial area (Area B and C), will be further considered separately from this petition. This petition (1607-PUD-11) only applies to Area A.

An accompanying Detailed Development Plan (1607-DDP-25) for Area A has also been filed and is scheduled for a public hearing at the July 5, 2016, Plan Commission meeting.

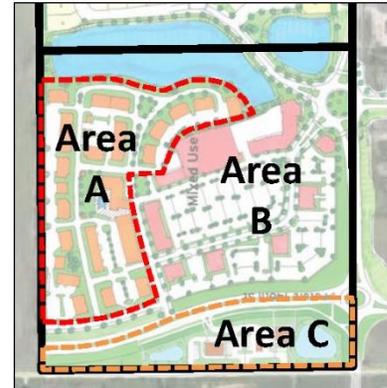
Although the public hearing for the Original Petition included the substance of this petition, the Department recommends the Plan Commission hold a combined public hearing for the Detailed Development Plan and this petition.

PROJECT OVERVIEW

Project Location: The petitioner is requesting an amendment to the Harmony Planned Unit Development (PUD) District (the “PUD District”) for the 11.89 acres+/- located on the north side of 146th Street, west of Ditch Road (see **Exhibit 2**).

The subject property encompasses “Area A” of the PUD District, a part of the “Mixed Use District”. The PUD Ordinance establishes the MF2: Multi-Family Medium Density District as the underlying zoning district for Area A.

Property History: The property is zoned the Harmony PUD District (Ord. 12-14) (the “PUD Ordinance”). The PUD Ordinance was adopted in 2013, and includes 278 acres. Since then, the detached single-family areas of the PUD District have been under development.



On June 6, 2016, the Plan Commission approved the primary plat (1605-SPP-06) and overall development plan (1605-ODP-06) for the Mixed Use District. In April 2016, the secondary plat (1606-SFP-16) was filed for the Mixed Use District, which is currently being reviewed and is pending.

In June 2016, the petitioner filed an accompanying detailed development plan (1607-DDP-25) for the proposed apartment development which is scheduled for a public hearing at the July 5, 2016, Plan Commission meeting.

AMENDMENT REQUEST

The petitioner requests this amendment to address the following:

Minimum Building Setbacks: The proposed amendment reduces the side yard setback along the east property line for the dumpster enclosure from twenty (20) feet to five (5) feet.

Multi-family Garage Spaces: The PUD Ordinance requires that a minimum of garage parking spaces shall be equal to 60% of the number of dwelling units. The amendment proposes to reduce that requirement to 50% (for example with the proposed detailed development plan, 154 garage spaces would be required; the amendment would require 129 garage spaces).

Sign Standards: The PUD Ordinance defaults to the UDO for the applicable sign standards. Due to the design of access along 146th Street and the general circulation patterns for the Mixed Use District, the proposed amendment permits a blade (or projecting) sign to be located on the proposed multi-family clubhouse along Area A’s 146th Street frontage.

Landscape Buffer Yard: With respect to Area A, the PUD Ordinance defaults to the UDO’s landscaping standards with the exception of the External Street Frontage Landscaping Requirements. Article 6.8(N)(4) and (5) of the UDO provides that a buffer yard type “Buffer B

(medium)” is required for multi-family uses abutting adjacent AG-SF1 District properties. As a result, the UDO’s “Buffer B” would apply along Area A’s west property line. The amendment proposes a modified UDO “Buffer A” apply instead along the west property line.

	UDO’s Buffer B (current standard)	UDO’s Buffer A	Proposed Amendment
Minimum Width	40 feet	30 feet	20 feet
Shade Trees	4 per 100 feet	3 per 100 feet	Buffer A
Evergreen Trees	4 per 100 feet	3 per 100 feet	Buffer A
Shrubs	10 per 100 feet	10 per 100 feet	Buffer A
Mound	4’ tall undulating	no mound	Buffer A

Comprehensive Plan: As summarized in the original zoning of the PUD District, the Future Land Use Map in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the property as “New Suburban”.

PROCEDURAL

Public Hearing: Amendments to a Planned Unit Development (PUD) District are required to be considered at a public hearing by the Plan Commission. The public hearing for this petition is scheduled for an additional public hearing at the July 5, 2016, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission’s Rules of Procedure.

Statutory Considerations:

Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

DEPARTMENT COMMENTS

1. **Action:** Hold a combined public hearing with the accompanying Detailed Development Plan (1607-DDP-25) at the July 5, 2016, Plan Commission meeting.
2. **Recommendation:** Subject to comments as a result of the public hearing, the Department recommends forwarding this petition 1607-PUD-11 (Ordinance No. 16-24) to the Council.
3. If any Plan Commission member has questions prior to the public hearing, then please contact Jesse Pohlman at 317.402.4380 or jpohlman@westfield.in.gov.